

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:10-HC-2103-FL

UNITED STATES OF AMERICA,)	
)	
Petitioner)	
)	
v.)	MOTION TO WITHDRAW
)	CERTIFICATION OF A
PATRICK SZYMANSKI)	SEXUALLY DANGEROUS PERSON
)	
Respondent)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits this Motion to Withdraw its Certification of a Sexually Dangerous Person filed on June 2, 2010.

In support of this motion, the Government provides the following information. Subsequent to the filing of the Certification of a Sexually Dangerous Person in this case, on July 1, 2010, the Respondent entered a guilty plea in the Kings County (New York) Supreme Court to Sexual Abuse in the First Degree. This plea included the understanding that Respondent would be sentenced to six years' imprisonment, followed by ten years' post-release supervision. Respondent is currently on writ to the Kings County Supreme Court to be formally sentenced on the above-referenced conviction. As a result of his conviction and impending sentencing, the State of New York will be fully responsible for Respondent's custody care and treatment.

The undersigned has contacted Respondent's appointed counsel, Assistant Federal Public Defender Sonya Allen, and she has indicated no opposition to the instant motion.

Based on the above, the Government respectfully moves to withdraw the Certification of a Sexually Dangerous Person in this action without prejudice. A proposed order is provided herewith.

Respectfully submitted, this 28th day of February 2011.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
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CERTIFICATE OF SERVICE

This is to certify that I have this 28th day of February, 2011, served a copy of the foregoing upon the Office of the Federal Public Defender by electronically filing the same through the District Court's CM/ECF Document Filing System.

/s/ Michael Bredenberg
Michael Bredenberg
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FOR THE EASTERN DISTRICT OF NORTH CAROLINA
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NO. 5:10-HC-2103-FL

UNITED STATES OF AMERICA,)	
)	
Petitioner)	
)	
v.)	ORDER
)	
PATRICK SZYMANSKI)	
)	
Respondent)	

This matter is before the Court on the government's February 28, 2011 motion to Withdraw, without prejudice, the Certification of a Sexually Dangerous Person in the above-captioned case. The motion indicates that respondent's counsel has no opposition to the relief requested in this motion.

For the reasons set forth in the government's motion, the government's motion is ALLOWED. The Clerk is DIRECTED to close this case.

This ____ day of _____, 2011.

LOUISE W. FLANAGAN
Chief United States District Judge